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Attorneys for Defendants, Counterclaimants
and Third-Party Plaintiffs KG HOLDINGS, LLC,
KIAHUNA GOLF CLUB, LLC, KG KAUAI
DEVELOPMENT, LLC, PUKALANI GOLF
CLUB, LLC, KG MAUI DEVELOPMENT, LLC,
MILILANI GOLF CLUB, LLC, QK HOTEL, LLC,
and OR HOTEL, LLC ("KG PARTIES")

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

QK HOTEL, LLC, et al.,

Defendants,

and

CV 04-00124 ACK-BMK

CV 04-00125 ACK-BMK

CV 04-00126 ACK-BMK

CV 04-00127 ACK-BMK

CV 04-00128 ACK-BMK

CONSOLIDATED CASES

KG PARTIES' MOTION TO
COMPEL DISCOVERY

FRANKLIN K. MUKAI, et al.,
Third-Party Plaintiffs,
vs.
SPORTS SHINKO (USA) CO., LTD.,
et al.,
Third-Party Defendants,
and
SPORTS SHINKO (HAWAII) CO.,
LTD., et al.,
Third-Party Defendants/
Counterclaimants,
vs.
QK HOTEL, LLC, et al.,
Third-Party Counterclaim
Defendants.
AND CONSOLIDATED CASES

MEMORANDUM IN SUPPORT
OF MOTION; LR 37.1(b)
CERTIFICATE OF COMPLIANCE;
DECLARATION OF ROBERT A.
MARKS; EXHIBITS 1 - 11;
CERTIFICATE OF SERVICE

KG PARTIES' MOTION TO COMPEL DISCOVERY

Defendants, Counterclaimants and Third-Party Plaintiffs KG Holdings, LLC, QK Hotel, LLC, OR Hotel, LLC, Pukalani Golf Club, LLC, KG Maui Development, LLC, Mililani Golf Club, LLC, Kiahuna Golf Club, LLC and KG Kauai Development, LLC ("KG Parties") hereby move this Honorable Court for an order compelling the Sports Shinko (USA) Co., Ltd. and Sports Shinko Co., Ltd. to respond to certain discovery requests relating to the proof of plaintiffs' status as creditors as they allege in the complaints herein.

This Motion is made pursuant to Rules 37(a)(2)(A) and 37(a)(3) of the Federal Rules of Civil Procedure and Rule 37.1 of the Local Rules of the United

States District Court for the District of Hawaii, and is supported by the attached memorandum and exhibits and the record herein.

While the KG Parties may be entitled to recover their expenses and attorneys' fees incurred in connection with this Motion, they waive that relief, provided the KG Parties reserve all rights and remedies in connection with any subsequent motions under Rule 37 that may hereafter be filed.

DATED: Honolulu, Hawaii, April 5, 2007.

/s/ Robert A. Marks

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LLC, QK Hotel, LLC, OR Hotel, LLC,
Pukalani Golf Club, LLC, KG Maui
Development, LLC, Mililani Golf Club,
LLC, Kiahuna Golf Club, LLC and KG
Kauai Development, LLC